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(46)
RBH/1/02

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SHIRLEY OGDEN

Plaintiff

vs.

**KEYSTONE RESIDENCE
PAMELA COVERT, JOE
BERGAN, DOTTIE SERANA,
AND MICHAEL POWANDA,**

Defendants

4:CV-00-272

Judge McClure

FILED
HARRISBURG, PA

OCT 31 2002

MARY E. D'ANDREA, CLERK
Per *[Signature]*
Deputy Clerk

NOTICE OF APPEAL

Notice is hereby given that Shirley Ogden the above- named plaintiff hereby appeals to the Third Circuit Court of Appeals of the United States from the decision by the Court from the Honorable James F. McClure, Jr. for the U.S. District Court for the Middle District of Pennsylvania entered on October 10, 2002 Order is attached hereto.

Respectfully Submitted,
BAILEY STRETTON & OSTROWSKI

[Signature: Don Bailey]
Don Bailey ID#23786
4311 N. 6th Street
Harrisburg, PA 17110
(717) 221-9500

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHIRLEY OGDEN,

Plaintiff

v.

KEYSTONE RESIDENCE,
PAMELA COVERT, JOE BERGAN,
DOTTIE SERANA, and MICHAEL
POWANDA,

Defendants

4:CV-00-272
(Judge McClure)

FILED
WILLIAMSPORT, PA

OCT 10 2002

MARY E. D'AMICO
For Deputy Clerk

ORDER

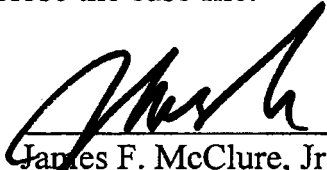
October 10, 2002

For the reasons set forth in the accompanying memorandum,

IT IS ORDERED THAT:

1. The motions for summary judgment filed by defendants Keystone, Bergen, Covert, Serina, and Powanda (Rec. Doc. Nos. 21, 25, and 23) are granted.
2. The "motion to vacate and reconsider in part its' (sic) order of April 19, 2001 (Rec. Doc. No. 32) is denied.
3. The clerk is directed to enter judgment in favor of defendants and against plaintiff.

4. The clerk is directed to close the case file.



James F. McClure, Jr.
United States District Judge

CERTIFICATE OF SERVICE

I, Don Bailey do hereby certify that on this *31ST DAY OF OCTOBER 2002* I served a true and correct copy of *PLAINTIFF'S NOTICE OF APPEAL* upon the attorneys below by First class-postage prepaid mail:

MCNEES WALLACE & NURICK
BRIAN JACKSON ESQUIRE
P.O. BOX 1166
HARRISBURG, PA 17108

RESPECTFULLY SUBMITTED,

BAILEY STRETTON & OSTROWSKI

A handwritten signature in black ink, appearing to read "Don Bailey", is written over a horizontal line.

DON BAILEY ESQUIRE
4311 N. 6th Street
Harrisburg, PA 17110
(717) 221-9500

**INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG, PA**

CAPTION:

Shirley Ogden
Vs
Keystone Residence, et al.

DISTRICT COURT NO. 1:00-CV-272

CT. OF APPEALS NO. _____

NOTICE OF APPEAL FILED

COURT REPORTER(S) None

FILING FEE:

NOTICE OF APPEAL X PAID ___ NOT PAID ___ SEAMAN

DOCKET FEE X PAID ___ NOT PAID ___ USA

CJA APPOINTMENT: (Attach Copy of Order)

___ **PRIVATE ATTORNEY**
___ **DEFENDER ASSOCIATION OR FEDERAL PUBLIC DEFENDER**
___ **MOTION PENDING**

LEAVE TO PROCEED IN FORMA PAUPERIS STATUS, IF APPLICABLE:
(Attach Copy of Order)

___ **MOTION GRANTED(IN FIRST INSTANCE)**
___ **MOTION DENIED (IN FIRST INSTANCE)**
___ **MOTION PENDING BEFORE DISTRICT JUDGE**

CERTIFICATE OF PROBABLE CAUSE (STATE HABEAS CORPUS):
(Attach copy of Order)

___ **GRANTED**
___ **DENIED**
___ **PENDING**

COPIES TO:

Judge McClure
Brian F. Jackson, Esquire
William E. Doyle, Jr., Esquire
Don Bailey, Esquire
File Copy

PREPARED BY Renee M. Brtalik
Deputy Clerk

Date: November 1, 2002



MARY E. D'ANDREA
Clerk of Court

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF PENNSYLVANIA
William J. Nealon Federal Bldg & U.S. Courthouse
235 North Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

(570) 207-5600 FAX (570) 207-5650
Internet Address: www.pamd.uscourts.gov

Divisional Offices:

Harrisburg: (717) 221-3920
Williamsport: (570) 323-6380

Office of the Clerk
United States Court of Appeals
for the Third Circuit
21400 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1790

RE: Shirley Ogden v. Keystone Residence, et al.
USDC NO: 1:00-CV-272
USCA NO:
E-mail Account: All correspondence should be sent to the e-mail account:
PAMDAPPEAL1

Dear Ms. Waldron:

A *Notice of Appeal* was filed in the above-referenced case.

_____ Civil Prisoner Case: Case file and docket sheet available through RACER.

_____ Non-Prisoner *Pro Se* Civil Case: Notice of Appeal and Docket Sheet available through RACER.

 X Non-Prisoner Civil Case or Criminal Case: Notice of Appeal and Docket Sheet available through RACER.
Docs 1-43 not scanned. Docs 44-46 scanned. Original Case File in Williamsport.

_____ Civil Prisoner Case: ___ Supplemental Record filed. Documents and docket sheet available through RACER.

_____ Non-Prisoner Civil Case or Criminal Case:
___ Supplemental Record filed. Docket Sheet available through RACER.

The Clerk's Office hereby certifies the record and the docket sheet available through RACER to be the certified list in lieu of the record and/or the certified copy of the docket entries.

Very truly yours,

s/ Renee M. Brtalik
Deputy Clerk

Date: November 1, 2002

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

November 1, 2002

Re: 1:00-cv-00272 Ogden v. Keystone Residence

True and correct copies of the attached were mailed by the clerk
to the following:

Brian F. Jackson, Esq.
McNees, Wallace & Nurick
bjackson
P.O. Box 1166
Harrisburg, PA 17108-1166 Fax No.: 17172375300

William E. Doyle Jr., Esq.
Office of Federal Contract Compliance Programs
U.S. Department of Labor
200 Constitution Avenue
Northwest
Washington, DC 20210

Don Bailey, Esq.
4311 N. 6th St.
Harrisburg, PA 17110

cc:		
Judge	(✓)	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltff's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen ()

DA of County () Respondents ()

Bankruptcy Court ()
Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: November 1, 2002

BY: Renee Bitalis
Deputy Clerk